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09/911,733	07/25/2001	Asa Kling	3613-102P	5601

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EXAMINER

HANNE, SARA M

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 03/30/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/911,733

Applicant(s)

ASA KLING, BJORN SVENSSON

Examiner

Sara M Hanne

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: .

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-5 and 8 are rejected under 35 U.S.C. 102(a) as being anticipated by Devine et al., US Patent 6631402.

As in Claim 1, Devine et al. teaches a data-displaying interface with a page including fields for selecting a desired institution (Figure 9g) and a desired period (Figure 9c) along with a button for displaying one of a plurality of reports (Figure 9b, Ref. 323) containing information that corresponds with the selected institution and time period ("dialog screen 296 presented to the user showing all the report customization categories for building a new report and editing an existing report.", Column 19, lines 53-55).

As in Claim 2, Devine et al. teaches the page has the means for selecting one or more periods for display on one of the reports (Figure 9c, Ref. 383, 384, 385 and Add button).

As in Claim 4, Devine et al. teaches a subsequent page from button activation, with content being chosen from the last displayed report of the plurality of reports (Figure 10a).

As in Claim 5, Devine et al. teaches a summary report including information pertaining to products used (calls made) in the selected institution and time period (Figure 10a).

As in Claim 8, Devine et al. teaches a method comprising generating a GUI with user selectable fields for specific institutions (Figure 9g), a field for time periods (Figure 9c), a field for number of time periods (Figure 9c, ref. 383), currency type ("may be changed to Number of Minutes, dollars", Column 18, line 64), and a button, which when activated, generates a report (Figure 9b, Ref. 323) chosen from a plurality, that contains information relating to the selected institution and specific time period ("dialog screen 296 presented to the user showing all the report customization categories for building a new report and editing an existing report.", Column 19, lines 53-55).

3. Claim 16 is rejected under 35 U.S.C. 102(b) as being anticipated by Anderson et al., US Patent 5974396.

As in Claim 16, Anderson et al. a product cost control method comprising storing data representative of product use ("The data is transaction data that describes the sales of a given product" Column 2, line 67 – Column 3, line 1), creating a GUI accessible by a user including access to a plurality of reports containing information based on the data ("various queries and requests of the consumer product purchase repository 26 are formatted and transmitted by a retailer via user interfaces 60 and 66",

Column 8, lines 15-19), and providing an interface from one of the reports containing administrator analysis information pertaining to the data ("Repository Changes – Updates made by database information administrator to the database via the retailer interface", Column 14, lines 14-17).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al., US Patent 6631402, and further in view of Cunningham et al., US Patent 6029139.

Devine et al. teaches a method comprising generating a GUI with user selectable fields for specific institutions (Figure 9g), a field for time periods (Figure 9c), a field for number of time periods (Figure 9c, ref. 383), and generating a report (Figure 9b, Ref. 323), that contains information relating to the selected institution and specific time period ("dialog screen 296 presented to the user showing all the report customization categories for building a new report and editing an existing report.", Column 19, lines 53-55). While Devine et al. teaches the method and interface for creating reports from a user selected institution and time period, they fail to show a field for selection currency type to generate the report as recited in the claims. In the same field of the invention,

Cunningham et al. teaches a product usage reporting system similar to that of Devine et al. In addition, Cunningham et al. further teaches a storage means using different currency types (Table 1, lines 5 and 6). It would have been obvious to one of ordinary skill in the art, having the teachings of Devine et al. and Cunningham et al. before him at the time the invention was made, to modify the interface for creating reports according to a specified institution and time periods taught by Devine et al. to include the currency product data of Cunningham et al., in order to obtain an interface for tracking product usage for specific institutions over selected time periods using a specific currency type. One would have been motivated to make such a combination because an international reporting system for institutions would have been obtained, as taught by Cunningham et al.

6. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al., US Patent 6631402, and further in view of Amado, US Patent 5701400. Devine et al. teaches the summary reports to be generated according to costs (Column 18, line 58 et seq.). While Devine et al. teaches reports associated with product usage costs, they fail to include a graph pertaining to such data including a cost versus budget graph as recited in the claims. In the same field of the invention, Amado teaches a reporting system similar to that of Devine et al. In addition, Amado further teaches cost graphs pertaining to stored product usage/consumption and budget (Figure 55 and corresponding text). It would have been obvious to one of ordinary skill in the art, having the teachings of Devine et al. and Amado before him at the time the invention was made, to modify the product usage interface and reporting system taught by Devine

et al. to include the cost and budget graphs for product usage of Amado, in order to obtain a graph representing the cost and budget figures for product usage pertaining to a specific institution and time period. One would have been motivated to make such a combination because a graphical representation of the analysis data results would have been obtained, as taught by Amado.

7. Claims 13-14, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al., US Patent 6631402, and further in view of Kanor et al., US Patent 6384728.

Devine et al. teaches a method comprising providing a GUI accessible through user login, generating and displaying a report based on user selected institutional information (Figure 9g), and user selected periods of time (Figure 9c) for specific information relating to products used in the institution selected during the periods of time selected (See also Claim 1 rejection *supra*). While Devine et al. teaches the method and GUI for selecting an institution and time period, and generating corresponding reports, they fail to show the data relating to incontinence products as recited in Claims 13 and 19. In the same field of the invention, Kanor et al. teaches a product monitoring system similar to that of Devine et al. In addition, Kanor et al. further teaches the monitoring of incontinence products (Column 2, lines 35-65). It would have been obvious to one of ordinary skill in the art, having the teachings of Devine et al. and Kanor et al. before him at the time the invention was made, to modify the GUI and method of querying product usage databases taught by Devine et al. to include the incontinence product data of Kanor et al., in order to obtain a reporting system for

incontinence product usage. One would have been motivated to make such a combination because a way to monitor usage and spending of incontinence products would have been obtained, as taught by Kanor et al.

Furthermore, while Devine et al. and Kanor et al. teach the reporting system for incontinence products as described *supra*, they fail to show the institution selected through the GUI to be a hospital as recited in Claim 14. Within the field of the invention, it would be obvious to one of ordinary skill in the art for the institutions to include a hospital since they are monitoring incontinence products usage. One would have been motivated to make such a combination because a way to monitor usage and spending of incontinence products in hospitals would have been obtained.

8. Claims 9-10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al., US Patent 6631402, and further in view of Anderson et al., US Patent 5974396. Devine et al. teaches producing a summary report (Figure 10a) and detail report that may be opened from the summary report interface (Open button). While Devine et al. teaches generating such reports, they fail to teach generating a Summary report including information relating to major product groups as recited in Claim 10 the creation of a Ward Report as recited in Claims 9 and 15. Anderson et al. teaches a data storage and reporting system similar to that of Devine et al. In addition Anderson et al. teaches generation of ward reports ("Point of sale system functioning within the actual retail environment" Column 12, lines 51-52). Further Anderson et al. teaches major product groups in a Summary report (Summary level with product clusters, Figure 12b and corresponding text). It would have been obvious to one of



ordinary skill in the art, having the teachings of Devine et al. and Anderson et al. before him at the time the invention was made, to modify the interface for creating summary and detailed reports according to a specified institution and time periods taught by Devine et al. to include the ward report and major product group summary report of Anderson et al., in order to obtain an interface for presenting product usage by major product groups, detailed reports, and ward reports over selected time periods. One would have been motivated to make such a combination because a detailed reporting system for product usage would have been obtained, as taught by Anderson et al.

9. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Devine et al., US Patent 6631402 and Anderson et al., US Patent 5974396 and further in view of Kanor et al., US Patent 6384728.

Devine et al. and Anderson et al. teach a method comprising providing a GUI for generating and displaying a summary, detail and ward reports based on user selected institutional information, and user selected periods of time for specific information relating to products used in the institution selected during the periods of time selected (see Claims' 9-10 rejections *supra*). While Devine et al. and Anderson et al. teaches the method and GUI described in Claims 9 and 10, they fail to show the data relating to incontinence products as recited in the claims. In the same field of the invention, Kanor et al. teaches a product monitoring system similar to that of Devine et al and Anderson et al. In addition, Kanor et al. further teaches the monitoring of incontinence products (Column 2, lines 35-65). It would have been obvious to one of ordinary skill in the art, having the teachings of Devine et al., Anderson et al. and Kanor et al. before him at the

time the invention was made, to modify the GUI and method of querying product usage databases taught by Devine et al. and the reporting system of Anderson et al. to include the incontinence product data of Kanor et al., in order to obtain a reporting system for incontinence product usage. One would have been motivated to make such a combination because a way to monitor usage and spending of hospital incontinence products according to detailed and summarized displays would have been obtained, as taught by Kanor et al.

10. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al., US Patent 5974396 as applied to claim 16 above, and further in view of Kanor et al., US Patent 6384728.

Anderson et al. teaches storing data representative of product use, creating a GUI accessible by a user including access to a plurality of reports containing information based on the data, and providing an interface from one of the reports containing administrator analysis information pertaining to the data (See Claim 16 rejection *supra*). While Anderson et al. teaches such a system for displaying product usage data, they fail to show the data relating to incontinence products as recited in the claims. In the same field of the invention, Kanor et al. teaches a product monitoring similar to that of Anderson et al. In addition, Kanor et al. further teaches an incontinence monitoring system (Column 2, lines 35-65). It would have been obvious to one of ordinary skill in the art, having the teachings of Anderson et al. and Kanor et al. before him at the time the invention was made, to modify the product usage reporting system taught by Anderson et al. to include the incontinence products of Kanor et al., in order to obtain

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incontinence product usage reports. One would have been motivated to make such a combination because a way to monitor usage and spending of hospital incontinence products would have been obtained, as taught by Kanor et al.

As in Claim 18, Anderson further teaches the analysis information to be related to product usage over a specific period of time (Column 10, line 29 – Column 11, line 19).

***Conclusion***

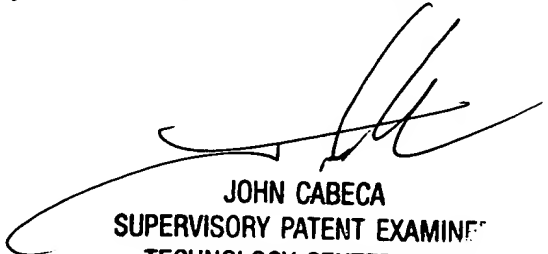
The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar reporting devices and incontinence monitoring systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh



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